

Exhibit A

**IN THE CIRCUIT COURT OF WAYNE COUNTY
STATE OF MICHIGAN**

**NASSAR HAGE AND
ZEINAB HAGE,**

Plaintiffs,

Case No. 23-

- CZ

v.

**SOCIETE AIR FRANCE, INCORPORATED,
a corporation and DELTA AIRLINES, a
corporation for profit**

Defendants.

COMPLAINT AND DEMAND FOR TRIAL BY JURY

COMES NOW, Plaintiffs Nassar Hage and Zeinab Hage, by their attorneys, Katzman Lampert & Stoll, PLLC and for their complaint against Defendants, Société Air France Airlines, Inc., a corporation and Delta Airlines, a corporation for profit, and state:

Jurisdiction and Facts Common to all Counts

1. There is no other pending or resolved civil action arising out of the same transaction or occurrence alleged in the complaint. MCR 1.109 (D)(2)
2. Each condition precedent to maintaining this cause of action has accrued. The amount of money in controversy exceeds the minimum jurisdictional limit of this Court, exclusive of costs and interest, and jurisdiction is otherwise proper before this Court as more fully alleged below.

3. At all times material to this cause of action Plaintiffs Nasser Hage and Zeinab Hage were and are lawfully married and residents of Wayne County, Michigan, and each being *sui juris* they are competent to maintain this cause of action.

4. This case arises out of Société Air France (Air France) flight AF377 from Detroit, Michigan, to Paris, France, on March 12, 2023.

5. Air France flight AF 377 was operated as a code share flight with Delta Airlines. Through the legal doctrines of joint venture, agency, joint enterprise, strict liability, and derivative liability, each of the Defendants is liable for the commissions and omissions of the other,

6. At all times material to this cause of action, Defendant, Air France, was and is a corporation regularly and systematically conducting its business at the Detroit Metropolitan Wayne County Airport, in Romulus, Michigan and has an agent for service of process, Corporation Service Company, located at 3410 Belle Chase Way, Suite 600, Lansing, MI 48911. Defendant Air France's business is the operation of an airline of common carriage conducting scheduled flights.

7. The Defendant, Delta Airlines, is a corporation for profit which regularly and systematically conducts its business in Michigan, its business being the operation of an airline for common carriage conducting scheduled flights pursuant to 14 CFR 121.

8. For good and valuable consideration, Plaintiff, Nassar Hage, purchased a ticket for Defendants' airline flight AF377 and was a fare paying passenger aboard that flight and seated on the airplane, when his seat suddenly and violently reclined in an uncommanded manner, causing his back to become injured.

Count I, Negligence of Delta and Air France

9. Each prior allegation is adopted herein as if specifically restated and realleged, paragraph for paragraph and word for word.

10. Defendants each owed Plaintiffs certain duties.

11. Notwithstanding their duties, Defendants breached them in the following particulars:

- a. When they negligently failed to properly maintain the aircraft seat in a manner reasonably calculated to prevent it from reclining in an uncommanded manner.
- b. When they negligently operated the aircraft in a manner that caused the seat to recline in an uncommanded manner.
- c. When they negligently failed to inspect the seat in a manner reasonably calculated to detect that the seat would recline in an uncommanded manner.
- d. When they negligently failed to warn Plaintiff of the danger from the seat reclining in an uncommanded manner.
- e. When they were otherwise negligent in the operation, maintenance, use, repair, inspection, and warning of the danger to Plaintiff from the broken and defective seat.

12. As a proximate result of the Defendants' negligence, Plaintiffs suffered injuries and damages as more fully alleged below.

13. At all times here material to this cause of action, Defendants Air France and Delta employed all the maintenance personnel and all cabin crewmembers aboard the flight and they are responsible for the safe operation and service of the aircraft seats and the safety and wellbeing of passengers, including Plaintiff.

Damages

14. As a proximate result of the Defendants' negligence, Plaintiff, Nassar Hage, suffered injuries and damages.

15. Plaintiff has required medical care since the time of injury and will continue to require ongoing medical treatment and care in the future.

16. Plaintiff Zeinab Hage has suffered loss of consortium in the past, in the present and will continue to suffer such losses in the future.

17. Plaintiff Nassar Hage is entitled to recover all elements of damages allowable under law including, but not limited to medical expenses in the past, present and future; loss of impairment of earning capacity in the past, present and future; economic losses in the past, present and future; physical and mental pain and suffering and anguish in the past, present and future; loss of enjoyment of life in the past, present and future; and all other damages recoverable under the law applicable to this cause of action.

WHEREFORE, Plaintiffs Nassar Hage and Zeinab Hage, demands judgment against the Defendants Société Air France airlines and Delta Airlines, in an amount that is just and reasonable in light of the law and evidence, to be determined at trial, together with interest and costs as otherwise permitted. Plaintiffs demand trial by jury.

JURY DEMAND

Plaintiffs demand trial by jury as of right

Respectfully submitted this 7th day September, 2023.

/s/ David Katzman
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